

DECISION**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548**

27498

FILE: B-213340**DATE:** February 23, 1984**MATTER OF:** Seymour Epstein**DIGEST:**

A civilian employee of the Department of the Army, unaware of the general prohibition against use of travel agents, purchased transportation for official travel with personal funds from a travel agent. He may be reimbursed, but reimbursement is limited to the travel costs which would have been charged had he obtained his transportation directly from the carrier using a Government transportation request. In this case a special fare was offered for transportation procured with a Government transportation request but since the travel agent could not use a Government transportation request the special fare could not be applied.

This decision is in response to Mr. Seymour Epstein's appeal of our Claims Group's denial of his claim for reimbursement of additional air fare. The amount claimed--\$194--is the difference between the regular round-trip coach fare he paid a travel agent and the lower round-trip fare available when travel is obtained using a Government transportation request. Mr. Epstein may not be reimbursed the difference because the airlines which he used had in effect a discount fare that applied to travelers paying with a Government transportation request, which was available to him.

In May 1982 Mr. Epstein, an employee of the Department of the Army, was required to travel on short notice to a professional conference in Los Angeles, California, from his duty station at Fort Monmouth, New Jersey. He indicates that his office's heavy workload at that time, his need to shift the burden of making travel arrangements from himself to another because he needed time to prepare for the conference, and his unfamiliarity with the travel agent prohibition, were responsible for his procuring his round-trip ticket through a travel agent at the regular coach rate. He contends that the regular coach fare was the lowest fare available at the time his reservations were made.

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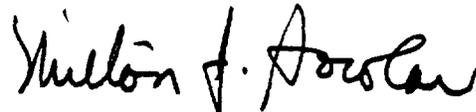
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Therefore, he feels he is entitled to reimbursement for the full cost of the air fare as charged by the travel agent.

An employee is generally prohibited from using travel agents to procure passenger air transportation within the United States. 4 C.F.R. § 52.3 (1983), and Volume 2, Joint Travel Regulations (2 JTR), para. C2207. However, if an employee is not aware of the prohibition he may be reimbursed in an amount not to exceed the cost which would have been incurred if transportation had been purchased directly from the carrier. 2 JTR para. C2207-4, and Matter of Ward, 60 Comp. Gen. 445 (1981). Mr. Epstein states that he was unaware of the prohibition, and his agency apparently agrees because it allowed reimbursement to the extent of the cost which would have been incurred had the transportation been procured directly from the air carrier.

Mr. Epstein, in claiming the additional \$194 which he was not reimbursed, contends that the regular coach fare which he paid was the lowest fare available even if he had procured his transportation directly from the carrier. However, the lower special Government fare, the basis his agency used for reimbursement, would have been available if he had used a Government transportation request to procure his transportation directly from the carrier. The travel agent was unable to use this fare when the reservation was booked because travel agents are not authorized to issue or use Government transportation requests. But, Mr. Epstein could have obtained a Government transportation request through his agency's travel office and procured the transportation directly from the carrier by use of that request.

Accordingly, Mr. Epstein may not be reimbursed the difference between the regular coach fare and the special Government fare, and the action taken by the Claims Group is sustained.



Acting Comptroller General
of the United States